

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA, )

Case No. 2:16-cr-00265-GMN-CWH

4 Plaintiff, )

5 v. )

6 JOHN SIEMER, )

**ORDER**

7 Defendant. )

8 \_\_\_\_\_ )  
 9 Presently before the Court is Defendant John Siemer's ex parte motion for outside medical  
 10 care (ECF No. 415), filed on September 18, 2017. Defendant requests that this Court order an  
 11 outside physician to treat Defendant's medical problems. However, Defendant does not cite any  
 12 authorities in support of his motion. Under Local Criminal Rule 47-3, the failure of a moving party  
 13 to include points and authorities in support of a motion constitutes consent to denying the motion.

14 In addition, Defendant has filed this motion ex parte, but does not explain on what basis there  
 15 is a need for ex parte review. Under Local Rule IA 7-2, a party may not make an ex parte  
 16 communication with the court except as specifically permitted under the Local Rules or the Federal  
 17 Rules of Criminal Procedure. The Court notes that the motion contains information about  
 18 Defendant's medical condition, but finds no authority for the motion's ex parte status. The Court  
 19 will therefore seal Defendant's motion but deny Defendant's request for ex parte review.

20 IT IS THEREFORE ORDERED that Defendant's motion for outside medical care (ECF No.  
 21 415) is DENIED without prejudice.

22 IT IS FURTHER ORDERED that the Clerk shall SEAL Defendant's motion and STRIKE the  
 23 ex parte label.

24 DATED: September 19, 2017

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 26 \_\_\_\_\_  
 27 C.W. Hoffman, Jr.  
 28 United States Magistrate Judge